

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION**

RUBY STREETER,

Plaintiff,

v.

**OFFICE OF DOUGLAS R. BURGESS,
LLC, and DOUGLAS R. BURGESS,
ET AL.**

Defendants.

CASE NUMBER: 1:07-cv-97-WKW

DEFENDANTS' MOTION FOR LEAVE TO FILE ADDITIONAL INTERROGATORIES

Pursuant to FED. R. CIV. P. 26(b)(2), Defendants Office of Douglas R. Burgess, LLC, Law Office of Douglas R. Burgess, LLC, and Douglas R. Burgess move this Court for leave to file additional interrogatories pursuant to Rule 33. In support of this motion, Defendants state as follows:

1. Federal Rule of Civil Procedure 33(a)(1) provides:

Unless otherwise stipulated or ordered by the court, a party may serve on any other party no more than 25 written interrogatories, including all discrete subparts. Leave to serve additional interrogatories may be granted to the extent consistent with Rule 26(b)(2).

2. On August 16, 2007, Defendants served 23 interrogatories on Plaintiff.
3. Since that date, Plaintiff has amended her complaint twice.
4. In her first Amended Complaint, dated October 15, 2007, Plaintiff added 10 new defendants.
5. On July 8, 2008, through her second Amended Complaint, Plaintiff added two additional defendants.

6. In addition, through her Second Amended Complaint, Plaintiff added a conspiracy count alleging that various, unspecified defendants participated in a debt collection scheme and a fraudulent marketing scheme. (Doc. 99 at ¶¶ 52, 57).

7. Based upon Plaintiff's Amended Complaints that have added both new defendants and a new claim, Defendants have a need to serve additional interrogatories on Plaintiff inquiring as to these new parties and allegations.

Wherefore Defendants move the Court to allow it to serve an additional 25 interrogatories on Plaintiff.

Respectfully submitted,

s/ Stacey A. Davis

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the above and foregoing has been served upon the following counsel of record via e-filing on this the 8th day of August, 2008:

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